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HUMAN RIGHTS IN THE WORKING WORLD

The world's largest democracy abolishes bonded labour from the statute book and pledges to free every bonded worker.

Countries on three continents accept international aid to eliminate child labour.

In countries of Africa and Central America, trade union and employers' organization leaders are released from prison.

In an Asian State, 10,000 prisoners are freed from unlawful forced labour.

These are just a few of the results achieved in recent years by the human rights operations of the International Labour Organisation (ILO).

Created in 1919 on the conviction that social justice is a vital component of durable peace, ILO has a long record in defining, protecting and promoting human rights universally in its field. For this it was awarded the Nobel Peace Prize in 1969.

HUMAN RIGHTS

UNITED NATIONS

Basic principles

ILO's Declaration of Philadelphia (1944) states that:

- Labour is not a commodity;
- Freedom of expression and association are essential for sustained progress;
- All human beings have the right to pursue their material and spiritual development in conditions of freedom, dignity, economic security and equal opportunity.

These principles, to which all 161 member States have committed themselves, have influenced the evolution of human rights action globally. Several of the freedoms contained in the Universal Declaration of Human Rights were included at the request of ILO, which is responsible within the UN system for their protection. More than 75 ILO Conventions are relevant to the achievement of the UN's International Covenant on Economic, Social and Cultural Rights.

International standards

ILO translates its concerns into texts of two types – International Labour Conventions and Recommendations adopted by the International Labour Conference (composed of government, employer and worker representatives). Conventions create binding obligations once ratified; even in the absence of ratification, they serve as a standard of reference for national law and practice.

Important human rights conventions include:

- *Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87)*

Establishes the right of all workers and employers to form and join organizations of their own choosing without prior authorization, and lays down a series of guarantees for the free functioning of organizations without interference by the public authorities. (Ratifications by February 1993 totalled 102, out of 161 member States.)

- *Right to Organize and Collective Bargaining Convention, 1949 (No. 98)*

Provides for protection against anti-union discrimination, for protection of workers' and employers' organizations against acts of interference by each other, and for measures to promote collective bargaining (117 ratifications).

- *Forced Labour Convention, 1930 (No. 29)*

Requires the suppression of forced or compulsory labour in all its forms. Certain exceptions are permitted, such as military service, convict labour properly supervised, and emergencies such as wars, fires, and earthquakes (130 ratifications).

- *Abolition of Forced Labour Convention, 1957 (No. 105)*

Prohibits the use of any form of forced or compulsory labour as a means of political coercion or education, punishment for the expression of political or ideological views, workforce mobilization, labour discipline, punishment for participation in strikes, or discrimination (111 ratifications).

- *Discrimination (Employment and Occupation) Convention, 1958 (No. 111)*

Calls for a national policy to eliminate discrimination in access to employment, training and working conditions, on grounds of race, colour, sex, religion, political opinion, national extraction or social origin (112 ratifications).

- *Minimum Age Convention, 1973 (No. 138)*

Aims at the abolition of child labour, stipulating that the minimum age for admission to employment shall not be less than the age of completion of compulsory schooling (42 ratifications).

- *Equal Remuneration Convention, 1951 (No. 100)*

Calls for equal pay for men and women for work of equal value (114 ratifications).

- *Employment Policy Convention, 1964 (No. 122)*

INTERNATIONAL LABOUR ORGANISATION

Calls for pursuit of a national policy aimed at promoting full, productive and freely chosen employment (77 ratifications).

➤ *Indigenous and Tribal Peoples Convention, 1989 (No. 169)*

Provides for basic protection of these groups to maintain their own ways of life without being forced into assimilation (4 ratifications).

Supervision

Sophisticated supervisory procedures help ensure that ratified Conventions are applied in practice.

Reports from Governments are scrutinized by a committee of independent legal experts, and problems brought to light are then examined by a special tripartite committee of the annual Conference, which recommends action needed to overcome them. Other procedures enable Governments, delegates and employers' and workers' organizations to lodge complaints for examination in some cases by a Commission of Inquiry. Special Governing Body machinery exists to deal with freedom of association complaints.

The essential aim is to help countries meet the obligations they have undertaken. The same principle applies to ILO's world-wide programme of technical cooperation in such fields as industrial relations, employment, working conditions and social security, through which countries may attain the conditions in which the ratification and application of standards can realistically be undertaken.

Indigenous and tribal peoples

ILO Conventions Nos. 107 and 169 on indigenous and tribal peoples are the only two international legal instruments adopted specifically on the subject by the international community. They reflect the ILO's concern, since 1921, for promoting the human rights of these peoples and enhancing their position within national societies.

Adopted in 1989, Convention No. 169 sets goals towards which governments should work, lays down guidelines for a participatory approach to decision-making and provides specific protections. Ratifications of Convention No. 169 will gradually replace ratifications of Convention No. 107.

The basic principle of the instrument is respect for the cultures and ways of life of these peoples, and of their right to continued existence and to development along the lines they themselves wish. It orients their relationship with the State, providing protection against discrimination, protection of their cultural and religious heritage and a requirement for impact studies in relation to development projects.

In the operational sphere, ILO actively promotes legislative reform and legal education and gives technical aid to a variety of economic activities focusing on the cultural specificity of indigenous and tribal peoples. The Organisation has played an active role in the creation of the Regional Fund for Indigenous Development, set up by a group of Latin American countries in 1992.

ILO is joint coordinator, with the United Nations, of the current International Year of the World's Indigenous People.

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